Dewipat Inc RECEIVED **CENTRAL FAX CENTER**

AUG 1 5 2005

	United States Patent	and Trademark Office	DEWIPAT File No. 30.020.10.US		
Form PTO/SB/21 (Modified)	General Transmittal Form				
Application No.	09/733847	Attorney Docket	ARC2644R1		
Filed (yyyy-mm-dd)	2000-12-08	Customer No.			
Applicant	Llang C. Dong	Confirmation No.	2029		
Examiner	Retford O. Berko	Art Unit	1615		
Title	Antiviral Medication		·h · · · · · · · · · · · · · · · · · ·		

ENCLOSURES (check all that apply)									
☐ Fee Transmittal Form	CD, Number of CD(s)								
☐ Fee Attached	☐ After Allowance Communication to Group								
☐ Amendment/Reply	☐ Appeal Communication to Board of Appeals and								
☐ After Final	Interferences								
☐ Affidavits/declaration(s)	☐ Appeal Communication to Group (Appeal Notice,								
☐ Preliminary	Brief, Reply Brief)								
Extension of Time Request	☐ Proprietary Information								
Express Abandonment Request	☐ Status Letter								
☐ Information Disclosure Statement	☐ Acknowledgement Postcard								
☐ Certified Copy of Priority Document(s)									
☐ Response to Missing Parts/Incomplete	Application								
Response to Missing Parts under 3	CFR 1.52/1.53 Other Enclosure(s) (please identify below):								
☐ Drawing(s)									
☐ Licensing-related Papers									
☐ Petition to Revive Abandoned Applicati	o n .								
Petition to Convert to a Provisional App	ilcation								
☑ Petition	Remarks:								
☐ Power of Attorney	·								
☐ Associate									
☐ Revocation & New									
☐ Change of Correspondence Addres									
☐ Terminal Disclaimer									
Request for Refund									
SIGNATU	RE OF APPLICANT, ATTORNEY, OR AGENT								
Firm/Individual Adenike A. Adebiyi									
Signature Aderika Adesik									
Date 8/15/05									
CERT	FICATE OF TRANSMISSION/MAILING								
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.									
Typed or printed name Adenike A. Ad									
Signature Adente	deling Date 8 15 05								

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Confirmation No. 2029

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AUG 1 5 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

: 09/733847

Applicant

Liang C. Dong

Filed

2000-12-08

Art Unit

: 1615

Examiner

Retford O. Berko

Docket No.

ARC2644R1

Title

Antiviral Medication

Mail Stop Petition
Commissioner for Patents
P. O. Pay 1450

P. O. Box 1450

Alexandria, VA 22313-1450

PETITION TO RESET A PERIOD FOR REPLY DUE TO LATE RECEIPT OF AN OFFICE ACTION

Applicant hereby petitions that the period for reply to the Office action having a mail date of April 5, 2005, be reset due to late receipt of the Office action.

According to MPEP 710.06(I), the Office will grant a petition to restart the previously set period for reply to an Office Action to run from the date of receipt of the Office action at the correspondence address when the following criteria are met:

- A. The petition is filed within 2 weeks of the date of receipt of the Office action at the correspondence address;
 - B. a substantial portion of the set reply period had elapsed on the date of receipt; and
- C. the petition includes evidence showing the date of receipt of the Office action at the correspondence address.

With respect to criteria A, the Office action was received on July 29, 2005. This petition is being filed on August 15, 2005, which is just outside of 2 weeks of the date of receipt of the Office action. The undersigned only became aware on August 15, 2005, of the two-week criteria for filing a petition to reset the period for reply. However, as outlined below, the undersigned promptly took action on rectifying the late receipt of the Office action:

The undersigned called Examiner Berko the week following July 29, 2005, to determine the procedure for resetting the period for reply. Examiner Berko was not aware of the procedure

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for resetting the period for reply but promised to call the undersigned back as soon as he found out. During a follow-up call to Examiner Berko, Examiner Berko promised to contact personnel who would be able to handle a request to reset the period for reply.

Not hearing from Examiner Berko, the undersigned subsequently called Examiner Berko's supervisor, Thurman K. Page, around August 11, 2005, and left a voice mail with a request to discuss how to proceed with resetting the period for reply due to late receipt of the Office action. The call was not returned. Another call to Supervisor Page on August 15, 2005, revealed that Supervisor Page would not be in the office on August 15, 2005, and August 16, 2005, but that Examiner Neil Levy could be contacted with questions.

The undersigned contacted Examiner Neil Levy, who then advised the undersigned to send in a paper request to reset the period for reply.

With respect to criteria B, the three-month period for replying to the Office action, which was July 5, 2005, had elapsed on the date of receipt of the Office action, which was July 29, 2005.

With respect to criteria C, enclosed please find a front page of the Office action bearing a date stamp with the date the Office action was received at the correspondence address of record. The date of receipt of the Office action at the correspondence address was July 29, 2005.

Because the period for reply had elapsed before receipt of the Office action, the Applicant is entitled to restarting of the previously set period for reply to the Office action to run from the date of receipt of the Office action at the correspondence address, which is July 29, 2005.

Favorable action on this petition is respectfully requested. Please apply any fees required for filing of this petition to Deposit Account No. 50-3202.

Respectfully submitted,

Date: 8/15/05

Adenike A. Adebiyi Reg. No. 42,254

Tel.: (281) 440-1712



Aug 15 2005 2:56PM

United States Patent and I radimark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandrio, Virginia 22313-1450

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		
09/733,847	12/08/2000	Ling C. Dong	ATTORNEY DOCKET NO.	CONFIRMATION NO.
			ARC 2644 R1	2029
75	90 04/05/2005		·	
Samuel E Webb		_	EXAMINER	
Alza Corporation c/o Johnson & Johnson One Johnson & Johnson Plaza WH3321 New Brunswick, NJ 08933		RECEIVED	BERKO, RETFORD O	
		JUL 2 9 2005	ART UNIT	PAPER NUMBER
			1615	

J&J PAT, DKT, SECTION

Please find below and/or attached an Office communication concerning this application or proceeding.

Final 6-05-2005 2mo. 7-05-2005 3mo. 10-05-2005 6mo.

DATE MAILED: 04/05/2005